

**Department of Community Planning and Economic Development – Planning Division**  
**Conditional Use Permit**  
**BZZ – 4256**

**Date:** December 8, 2008

**Applicant:** REA-HAL Partners

**Address of Property:** 2609 Fremont Avenue South

**Project Name:** 2609 Fremont Avenue South

**Contact Person and Phone:** Nathan Morris, (612) 868-6283

**Planning Staff and Phone:** Shanna Sether, (612) 673-2307

**Date Application Deemed Complete:** October 29, 2008

**End of 60-Day Decision Period:** December 28, 2008

**Ward:** 10      **Neighborhood Organization:** Lowry Hill East Neighborhood Association

**Existing Zoning:** R6 Multiple Family District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 24

**Legal Description:** Not applicable for this application

**Proposed Use:** Multi-family dwelling with 16 units.

**Conditional use permit:** to increase the number of dwelling units from 15 to 16 for an existing multiple-family dwelling located at 2609 Fremont Avenue South.

**Applicable zoning code provisions:** Chapter 525, Article VII Conditional Use Permits and Chapter 546 Residence Districts

**Background:** Nathan Morris, on behalf of REA-HAL Partners, is proposing to increase the legal number of dwelling units from 15 to 16 for an existing multiple family dwelling located at 2609 Fremont Avenue South. The 16<sup>th</sup> unit is a one bedroom apartment that currently exists in the basement and has been in this location for an undeterminable period of time. In the R6 district, a conditional use permit is required to legalize the 16<sup>th</sup> dwelling unit. The applicant is proposing to install a bicycle rack supporting up to four bicycles on the property in lieu of providing an additional parking stall. The proposed conversion of fifteen dwelling units to sixteen units will not require any additional land use applications.

CPED Planning Division Report  
BZZ – 4256

As of writing this staff report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

**CONDITIONAL USE PERMIT:** to increase the number of dwelling units from 15 to 16.

**Findings as required by the Minneapolis Zoning Code for the conditional use permit:**

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

**1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Conversion of the existing multiple family residential building on the site to allow one additional dwelling unit would not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The surrounding area is fully developed. The additional dwelling unit will be provided within an existing area of the structure and should not impede on the normal or orderly development of surrounding property in the area. Based on the lot area and the zoning classification, the subject property could support a density of up to 25 dwelling units, several more than the number proposed.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The site is served by existing infrastructure. Vehicle access would be from the alley at the rear of the property. The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way. The final plan must indicate all drainage patterns, including roof drains.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The structure was built in 1922 as a 13-unit apartment building. The building was later converted to 15 dwelling units in 1984 (B526492). Off-street parking was not required in the zoning code at the time the building was constructed and only two parking stalls would have been required to allow for the conversion from 13 dwelling units to 15 dwelling units in 1984. There is an existing

asphalt parking area to the rear of the site that serves as the parking area. The addition/legalization of one dwelling unit, requires that the applicant provide one additional off-street parking space, per the zoning code. The applicant is proposing to install a bike rack that supports a minimum of four bicycles on the site. The zoning code allows a reduction of one off-street parking stall with the installation of a bike rack supporting a minimum of four bicycles. With the installation of the proposed bike rack, the applicant will meet the required parking for the site. Further, staff believes that the legalization the 16th unit will not substantially increase the congestion of the public streets.

**5. Is consistent with the applicable policies of the comprehensive plan.**

**4.9 Minneapolis will grow by increasing its supply of housing.**

**Applicable Implementation Steps**

Support the development of new medium- and high-density housing in appropriate locations throughout the City.

*Staff comment:* The property is located in an area with a mix of low- to high-density residential uses, approximately one block from Hennepin Avenue, a commercial corridor. In addition, there are eleven multifamily buildings located nearby.

**9.22 Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.**

**Applicable Implementation Steps**

Consistent with the City of Minneapolis adopted Housing Principles, develop strategies so that the variety of housing types throughout the city and its communities shall be increased, giving prospective buyers and renters greater choice in where they live.

Develop an approach to residential development which combines housing form and housing density; for example, medium density residential development may be a townhouse development as well as a high-rise structure, while an attached dwelling form may result in a low density development or a medium density development.

*Staff comment:* The immediate area around the site is designated as multifamily residential. There are eleven other multifamily buildings nearby.

The comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, was recently amended is scheduled to be adopted by the City Council within the next few months. In the amended plan, the site is designated as Urban Neighborhood. Urban Neighborhood is defined as a predominantly residential area with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors.

Chapter 3 states that “By increasing the housing stock and retaining and attracting residents, the city establishes a foundation for a strong and vibrant future. Increased population has a number of positive effects.”

CPED Planning Division Report  
BZZ – 4256

The proposed development is in conformance with the above noted housing principles and policies of the comprehensive plan.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this conditional use permit.**

The use of the site for a multi-family residence will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit and the required design and maintenance standards.

## **RECOMMENDATIONS**

### **Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to increase the number of dwelling units from 15 to 16 for an existing multiple-family dwelling located 2609 Fremont Avenue South in the R6 Multiple Family District, subject to the following conditions:

1. The Community Planning and Economic Development Planning Division shall review and approve the final site, landscaping, and elevation plans.
2. Bicycle racks shall be provided to accommodate no fewer than four (4) bicycles on the property. Bicycle racks shall allow for the locking of bicycles in a stable upright position in a location that allows for visual monitoring within 20 feet of the building entrance. The bicycle parking may be located in the public right-of-way with permission of the city engineer.
3. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

### **Attachments:**

- 1) Written descriptions and findings submitted by the applicant.
- 2) Zoning map
- 3) Site plan and floor plans
- 4) Photos
- 5) Oblique aerials